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BY ECF

Hon. Carol B. Amon  
United States District Court  
Eastern District of New York  
225 Cadman Plaza East  
Brooklyn, NY 11201

December 21, 2011

Re: United States v. Matthew Rinaldo  
11 Cr 783 (CBA)

Dear Chief Judge Amon:

It is my understanding that a request has been made of the government by a member of the press to have access to all of the tape recordings of Mr. Rinaldo's prison phone calls, not just the selected excerpts that were offered by the government in connection with the detention hearing before Your Honor. The prison tapes otherwise contain personal information about third parties, including Mr. Rinaldo's fiancé, family and young children. Under these circumstances, the third parties right to privacy should override the qualified First Amendment right of access. I am, therefore, respectfully requesting that the U.S. Attorney's Office be directed to refrain from disclosing the tapes to the press. See

*Prison calls that were not appended to publicly filed documents and not presented to the Court should not be provided to the press.*

*As to those recordings that were provided to the Court, the Government is directed to sworn cause for 1/4/12 why the relief requested herein should not be granted.*

*S/Onders*  
- s/CBA  
12/23/11

United States v. Doe, 63 F.3d 121, 128 (2d Cir. 1995).

Respectfully submitted,

/JRF/

James R. Froccaro, Jr.

JRF:tp